

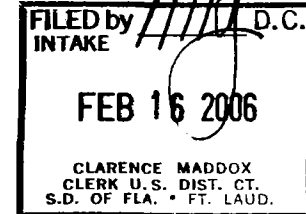
**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS**

**William G. Putnicki**  
Clerk of the Court

**United States Courthouse  
511 E. San Antonio, Suite 219  
El Paso, Texas 79901**

February 10, 2006

United States District Court Clerks Office  
299 East Broward Boulevard Room 108  
Fort Lauderdale, FL 33301



**IN RE: Our Case Number: 06-645M**

**Your Case Number: 00-6360-CR-DIMITROULEAS**

**U.S.A. vs. ISMAEL ENG**

**Enclosed please find the following documents pertinent to the removal of the above defendant(s) to your district:**

- (a.) XX Original Order of Removal (with attachments)**
- (b.)     Original Appearance Bond**

**Kindly acknowledge receipt of the enclosures by signing and returning the copy of this letter.**

**Sincerely,**

**William G. Putnicki, Clerk of Court**

by: MN Molina  
Margie N. Molina  
Courtroom Deputy  
To United States Magistrate Judge,  
Richard P. Mesa

Encl.  
**RECEIVED THIS 16<sup>th</sup> DAY OF Feb, 2006.**

**BY: L Street**

432  
[Signature]

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA )  
 )  
v. )  
 )  
ISMAEL ENG )

No. EP: 06-M-00645-M  
(SD/Florida No. 00-6360-CR-DIMITROULEAS)

**FILED**  
FEB 10 2006  
U.S. MAGISTRATE JUDGE  
FOR THE WESTERN DISTRICT OF TEXAS  
BY *[Signature]*  
SPECIAL DEPUTY CLERK

REMOVAL ORDER

On February 3, 2006, the above named Defendant appeared before the undersigned having been arrested on a warrant for arrest issued out of the United States District Court for the Southern District of Florida. The office of the Federal Public Defender was appointed to represent the Defendant. The Government filed a Motion to Detain the Defendant Without Bond and an identity hearing and detention hearing were set for February 10, 2006.

On this date came on to be heard the identity hearing and detention hearing. The Defendant executed an Order Regarding Rule 5 Proceedings wherein he waived identity hearing. After hearing the evidence, the Court finds that the above Defendant is the Defendant named in the Indictment and warrant for arrest. The Defendant also waived a detention hearing in this district but requested a detention hearing in the prosecuting district.

The Defendant having had an opportunity to confer with counsel, it is hereby ORDERED that the Marshal Service transport and deliver the Defendant to the Southern District of Florida at Fort Lauderdale, Florida.

SIGNED AND ENTERED this the 10<sup>TH</sup> day of February, 2006.

*Richard P. Mesa*  
\_\_\_\_\_  
RICHARD P. MESA  
UNITED STATES MAGISTRATE JUDGE

AO 94 (Rev. 8/97) Commitment to Another District

FILED

FEB 10 2006

U.S. MAGISTRATE JUDGE  
FOR THE WESTERN DISTRICT OF TEXAS  
SPECIAL DEPUTY CLERK

## UNITED STATES DISTRICT COURT

WESTERN

District of

TEXAS

UNITED STATES OF AMERICA

V.

COMMITMENT TO ANOTHER  
DISTRICT

ISMAEL ENG

## DOCKET NUMBER

## MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

00-6360CR-DIMITROULEAS

EP: 06-M-00645-M

## CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment ☐ Information ☐ Complaint ☐ Other (specify)

charging a violation of 18 U.S.C. § 371; 659 and 2

## DISTRICT OF OFFENSE

United States District Court for the Southern District of Florida

## DESCRIPTION OF CHARGES:

Conspiracy to commit theft of interstate &amp; foreign shipment of freight; theft of interstate &amp; foreign shipment of freight.

## CURRENT BOND STATUS:

- ☐ Bail fixed at \_\_\_\_\_ and conditions were not met
- ☐ Government moved for detention and defendant detained after hearing in District of Arrest
- ☒ Government moved for detention and defendant detained pending detention hearing in District of Offense
- ☐ Other (specify) \_\_\_\_\_

Representation: ☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ NoneInterpreter Required? ☐ No ☐ Yes Language: \_\_\_\_\_

WESTERN DISTRICT OF TEXAS

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

February 10, 2006

Date

*Richard P. Mesa*

RICHARD P. MESA, UNITED STATES MAGISTRATE JUDGE

## RETURN

## This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

Filed 2-8-06Clerk, U. S. District Court  
Western District of Texas

## MINUTES

RICHARD P. MESA

UNITED STATES MAGISTRATE JUDGE

By M.P.M. DeputyDate: FEBRUARY 8, 2006 Case No.: 06-6457 AUSA: Patricia Acosta

Defendant's Name:

Attorney for Defendant:

1. Ornel, Ing
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

PROCEEDINGS	DFT NO.:	1	2	3	4
( ) Prelim held/waived		( )	( )	( )	( )
( ) Probable cause found		( )	( )	( )	( )
( ) Prelim continued: _____		( )	( )	( )	( )
( ) No Probable cause found-case dismissed.		( )	( )	( )	( )
( ) Detention hearing held/waived.		( )	( )	( )	( )
( ) Defendant ordered detained.		( )	( )	( )	( )
( ) Order bond set by court: _____		( )	( )	( )	( )
( ) Agreed bond: _____		( )	( )	( )	( )
(X) Detention hearing continued: <u>2-10-06 @ 9:00 a.m.</u>		( )	( )	( )	( )
( ) Defendant financially unable to retain attorney. Court appt: _____		( )	( )	( )	( )
( ) Arraignment held. Defendant appears with counsel.		( )	( )	( )	( )
( ) Consent to Magistrate jurisdiction.		( )	( )	( )	( )
( ) Defendant PG. Court accepts guilty plea.		( )	( )	( )	( )
( ) Sentencing held/set for: _____		( )	( )	( )	( )
( ) Judgment and commitment entered. Felony complaint dismissed.		( )	( )	( )	( )

OTHER: Identity can't come date.

RESET FOR

2/10/06

9:00 AM

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS

Filed 2-10-06  
Clerk, U. S. District Court  
Western District of Texas  
mm  
Deputy

EL PASO DIVISION

UNITED STATES OF AMERICA )

v. )

Ismael Eng )

No. EP:06-M-00645-M

ORDER REGARDING RULE 5 PROCEEDINGS

I, Ismael Eng, understand that in the  
Southern District of Florida I have been charged  
with violating 18 USC 371, 459, 2. I have  
been taken before a United States Magistrate Judge who has informed  
me of the charge(s) and my right to: (1) retain counsel or request  
the appointment of counsel if I am unable to retain counsel, (2)  
request transfer of the proceedings to this district pursuant to  
Rule 20, Fed.R.Crim.P., in order to plead guilty, (3) an identity  
hearing to determine if I am the person named in the charge and (4)  
a preliminary examination (unless an indictment has been returned  
or an information filed) to determine whether there is probable  
cause to believe an offense has been committed by me, the hearing  
to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO:

☒ Identity hearing

☐ Preliminary hearing

☐ Identity hearing and I have been informed that I  
have no right to a preliminary hearing

☐ Detention hearing

☒ Detention hearing in El Paso, but I want a detention  
hearing in the prosecuting district

Ismael Eng  
Defendant

Frederic Lewis  
Defense Counsel

Date: 2-9-06

AO 456 (5/85) Notice

---

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**USA**

**vs.**

**(1) ISMAEL ENG**  
*Defendant*

§  
§  
§  
§  
§

**Case Number: EP:06-M -00645 M  
RULE 5**

---

**CIVIL / CRIMINAL NOTICE**

---

**TAKE NOTICE** That a proceeding in this case has been set for the place, date and time set forth below

---

**PLACE**

**United States Courthouse  
511 E. San Antonio  
El Paso, TX 79901**

---

**ROOM NO.**

**Room 444**

---

**DATE AND TIME**

**February 10, 2006, @ 9:00 AM**

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**TYPE OF PROCEEDING**

**IDENTITY HEARING/DETENTION  
(CONTINUED FROM 2/8/06)**

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**RICHARD P MESA**

**U.S. MAGISTRATE JUDGE**

---

**February 08, 2006**

*Date*

**BY: Margie N. Molina - (915) 534-6717**

**Deputy Clerk**

---

**TO: Defendant**

**(1) ISMAEL ENG  
Defendant's Attorney  
FEDERAL PUBLIC DEFENDER  
700 E. SAN ANTONIO, D-401  
EL PASO, TEXAS 79901**

**U.S. ATTORNEY  
U.S. PRETRIAL  
U.S. PROBATION  
U.S. MARSHAL**

Filed: 02/08/2006  
Clerk, U.S. District Court  
Western District of Texas

By: mm  
Deputy

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

USA

vs.

(1) ISMAEL ENG  
*Defendant*

§  
§  
§  
§  
§

Case Number: EP:06-M -00645 M

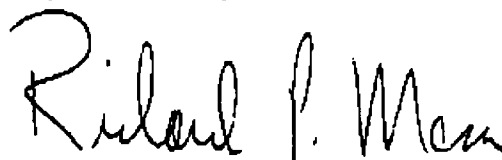
**ORDER APPOINTING COUNSEL**

The above named Defendant has testified under oath, or has otherwise satisfied this court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Because the interests of justice so require, the Federal Public Defender of this District is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of this court.

It is, accordingly, so ORDERED this 8th day of February, 2006.



**RICHARD P MESA  
U.S. MAGISTRATE JUDGE**

Filed 2-3-06  
Clerk, U. S. District Court  
Western District of Texas  
By mm  
Deputy

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

USA §  
§  
vs. § Case Number:  
§ EP:06-M -00645 - M  
(1) ISMAEL ENG § RULE 5-S/D OF FLORIDA  
§ 00-6360-CR-DIMITROULEAS

Interpreter Required: Yes ☒ No ☐

<b>*PROCEEDINGS SHEET / CRIMINAL NOTICE</b>		<b>18:371, 659 &amp; 2</b>
<b>TAKE NOTICE</b> That a proceeding in this case has been set for the place, date and time set forth below:		
Place	Room No.	
United States Courthouse		
511 E. San Antonio		444
El Paso, Texas 79901	Date and Time	
	February 08, 2006 at 09:30 AM	
Type of Proceeding		

**IDENTITY HEARING/DETENTION**

**RICHARD P MESA**  
UNITED STATES MAGISTRATE JUDGE

**February 03, 2006**  
Initial Appearance Date

**Margie N. Molina (915) 534-6717**  
(BY) DEPUTY CLERK

To:  
DEFENDANT - (1) ISMAEL ENG  
DEF ATTORNEY - TO RETAIN, - RET - -  
U.S. PROBATION  
U.S. PRETRIAL SERVICES  
U.S. ATTORNEY  
U.S. MARSHAL  
AGENCY - FBI - MAGGIE ANTISDEL

\* Defendant afforded initial appearance pursuant to Fed. R. Crim. P. 5, informed of charges, penalties, right to remain silent, right to preliminary examination, right to be represented by counsel, and to appointment of counsel if Defendant is financially unable to obtain counsel, and the circumstances under which Defendant may secure pretrial release. Initial Appearance is electronically recorded.



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

2006 FEB -3 10:00

UNITED STATES OF AMERICA )  
 )  
V. ) NO.  
 ) (SOUTHERN DISTRICT OF  
ISMAEL ENG ) FLORIDA COURT NO. 00-CR-6360-14)  
a.k.a. "Chino" )  
 )

GOVERNMENT'S MOTION TO DETAIN DEFENDANT  
WITHOUT BOND AND MOTION FOR CONTINUANCE

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas, and pursuant to 18 U.S.C. § 3142(e) and (f), files this, its Motion to Detain Defendant Without Bond and Motion for Continuance, and for cause, would respectfully show unto the Court the following:

1. The Defendant was arrested on a warrant out of the Southern District of Florida charging Defendant with violation of Title 18 United States Code, Sections 371, 659 and 2 -Theft of Interstate and foreign shipment of freight.
2. The Defendant has a prior criminal history.
3. The Defendant is a foreign national, and, as such, presents a high risk of fleeing to avoid prosecution on this charge.
4. There are no conditions or combination of conditions which will reasonably assure the safety of the community should Defendant be released on bond.

5. There are no conditions or combination of conditions which will reasonably assure the appearance of the Defendant at future court settings.

The Government would further move the Court for a three day continuance of the detention hearing from the date of the initial appearance.

WHEREFORE, premises considered, the Government respectfully prays the Court to hold the above-named Defendant without bail pending the final outcome of this case.

Respectfully submitted,

JOHNNY SUTTON  
UNITED STATES ATTORNEY

BY:

A handwritten signature in black ink, appearing to read "Antonio Franco, Jr.", written over a horizontal line.

ANTONIO FRANCO, JR.  
Assistant U.S. Attorney  
Texas Bar # 00784077  
700 E. San Antonio, Suite 200  
El Paso, Texas 79901  
(915) 534-6884